



S&H Form: (10/03)
Attorney Docket No. 826.1633D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Shinya INAGAKI et al.

Application No.: 10/823,634

Group Art Unit: 2874

Confirmation No. 4656

Filed: April 14, 2004

Examiner: Jennifer Doan

For: APPARATUS AND METHOD OF COMPENSATING FOR WAVELENGTH DISPERSION
OF OPTICAL TRANSMISSION LINE

PETITION TO WITHDRAW FROM ISSUE
UNDER 37 C.F.R. § 1.313(c)

Box ISSUE FEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby submits this Petition pursuant to 37 C.F.R. §1.313(c) requesting that the above-identified application in which the Issue Fee has been paid be withdrawn from issue. As required under § 1.313(c), this application is to be abandoned to permit consideration of an Information Disclosure Statement under §1.97 in a Request for Continued Examination under 37 CFR §1.114.

The Issue Fee for the present application was paid on June 3, 2008; attorney for applicant(s) first became aware, on July 3, 2008, of the need to file an Information Disclosure Statement that would be based on a July 1, 2008 Official Communication from the Japanese Patent Office. Accordingly, it has become necessary that Applicants' Petition to withdraw the application from issue to enable consideration of that Information Disclosure Statement.

Enclosed with this Petition is a check in the amount of \$130.00 covering the petition fee pursuant to 37 C.F.R. §1.17(h).

If any further fees are required in connection with the filing of this Petition, please charge same to our Deposit Account No. 19-3935.

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In view of the foregoing, it is respectfully requested that this Petition for Withdrawal be granted.

Respectfully submitted,

STAAS & HALSEY LLP

Date: July 3, 2008

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